## UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

JOHN HENRY SPARROW, III	]	
Petitioner,	]	
	]	
V.	]	No. 3:05-0803
	]	Judge Trauger
CHERRY LINDAMOOD, WARDEN	]	
Respondent.	1	

## ORDER

In accordance with the Memorandum contemporaneously entered, the petitioner's application (Docket Entry No. 1) for § 2254 habeas corpus relief is DENIED and this action is hereby DISMISSED. Rule 8(a), Rules -- § 2254 Cases.

Should the petitioner file a timely notice of appeal from this order, such notice shall be treated as an application for a certificate of appealability, 28 U.S.C. § 2253(c), which will NOT issue because the petitioner has been unable to make a substantial showing of the denial of a constitutional right.

It is so ORDERED.

Aleta A. Trauger
United States District Judge